

Message Text

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ORIGIN EB-07

INFO OCT-01 EUR-12 ISO-00 CAB-02 CIAE-00 COME-00 DODE-00

DOT-00 INR-07 NSAE-00 FAA-00 PM-04 H-02 L-03 NSC-05

PA-01 PRS-01 SP-02 SS-15 USIA-06 /068 R

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FAA/AIA-100 J. SHAFFER

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R 050048Z FEB 76

FM SECSTATE WASHDC

TO AMEMBASSY OTTAWA

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E.O. 11652: GD

TAGS: EAIR, OCLR, US, CA, CU

SUBJECT: CANADA-CUBA AIR SERVICE

REF: OTTAWA 376, 380

1. AIR CANADA WILL HAVE NO PROBLEMS BEYOND THOSE ASSOCIATED WITH NORMAL OPERATION IN OR THROUGH US AIRSPACE. AIR CANADA WILL NEED FILE OPS SPECS UNDER FAR 129. 11. DEPT WOULD BE INTERESTED, FOR REASONS WHICH FOLLOW BELOW, IN DETAILS OF PLANNED AIR CANADA ROUTE IF KNOWN.

2. TCO MAY WISH TO BRIEF EXTAFF, DRAWING ON FOLLOWING. USG PRESUMES THAT CUBA WILL JUSTIFY OVERFLIGHT OF USA UNDER ICAO AND INTERNATIONAL AIR SERVICES TRANSIT AGREEMENT. USG WILL ACQUIESCE, BUT WE EXPECT CUBANS

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TO ASK USG PERMISSION (ICAO ART. 6) UNDER FAR 375.45,

CUBANA MUST ALSO OBTAIN FAA APPROVAL OF ROUTE(S) FAR
91.103 STATES THAT, QUOTE, NO PERSON MAY OPERATE A CIVIL
AIRCRAFT OF CUBAN REGISTRY EXCEPT IN CONTROLLED AIRSPACE
AND IN ACCORDANCE WITH AIR TRAFFIC CLEARANCES OR AIR
TRAFFIC CONTROL INSTRUCTIONS THAT MAY REQUIRE USE OF
SPECIFIC AIRWAYS OR ROUTES AND LANDINGS AT SPECIFIC AIR-
PORTS. UNQUOTE. FYI ONLY, CERTAIN AREAS OF THE US ARE
OFF-LIMITS TO THE CUBANS FOR DEFENSE/SECURITY REASONS,

AND THE CUBANA ROUTE MUST AVOID THESE AREAS. END
FYI.FAA IS WORKING OUT ACCEPTABLE ROUTES CUBANA MIGHT
USE. WHILE FOREGOING SECURITY CONSIDERATIONS ARE NOT
RELEVANT TO AIR CANADA, WE FORESEE POSSIBILITY OF
CUBAN CHARGES OF DISCRIMINATION SHOULD WE BE FORCED TO
ACCORD CUBANA LESS DIRECT ROUTING THAN AIR CANADA. WE
WILL HAVE A BETTER FEEL FOR THIS ONCE AIR CANADA AND
CUBANA ROUTE PLANS ARE KNOWN.

3. FYI: MCDOUGALL OF CANADIAN EMBASSY WASHINGTON CALLED
DEPT (EB/AVP) AND ASKED BLUNTLY WHAT THE CUBANS NEEDED.
DEPTOFF REPLIED THAT CUBANS NEEDED TO ASK PERMISSION,
AND FAA APPROVAL OF ROUTE WOULD BE REQUIRED. WE HAVE
IMPRESSION THAT CANADIANS MAY BE MOVING TO SEE THAT ALL
LOOSE ENDS INVOLVED IN THE AGREEMENT ARE TIED UP. KISSINGER

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